



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

Los Angeles Region

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: <http://www.swrcb.ca.gov/~rwqcb4>



Gray Davis
Governor

Los Angeles Regional Water Quality Control Board Minutes of the January 25, 2001 Board Meeting The Metropolitan Water District of Southern California 700 North Alameda Street, Los Angeles, California

INTRODUCTION

1. The meeting was called to order by Chairman Nahai at 9:20 a.m.

Board Members Present

Susan Cloke, Francine Diamond, Robert Miller, Bradley Mindlin, H. David Nahai, Christopher Pak, Timothy Shaheen, Larry Kosmont

Board Members Absent

None.

Staff Present

Dennis Dickerson, Jorge Leon, Robert Sams, Deborah Smith, Dennis Dasker, Wendy Phillips, Jonathan Bishop, Ronji Harris, Laura Gallardo, Melinda Becker, Jack Price, Paula Rasmussen, David Koo, Michael Lyons, Winnie Jesena, Wendy Phillips, Marianne Yamaguchi, Karen Caesar, Myriam Zech

Others Present

Jacqy Gamble, Las Virgenes Municipal Water District
Alex Helperin, NRDC
Jacqueline Lambrichts, Friends of the San Gabriel River
Steve Fleischli, Santa Monica Baykeeper
Leslie Mintz, Heal the Bay
Richard Turner, Fresh Creek Technologies
Larry Forester, Mayor, Signal Hill
Richard Montevideo, Rutan & Tucker
Ed Schroder, City of Signal Hill
Doug Kellam, City of Cerritos
Paul Corn, United Storm Water
Laura I. Channell, City of Monterey Park
Mary Angle, SG LA Rivers & Mountains
Conservancy

Mark Gold, Heal the Bay
Jim Langley, City of Los Angeles
Judy Wilson, City of Los Angeles
Rose Collins, City of Long Beach
Desi Alvarez, City of Downey
Ken Farsing, City of Signal Hill
Heather George, Baykeeper
Glen Pargett, CDS Technologies
Michael Moore, City of Pico Rivera
Rick Cameron, Port of Long Beach
Jack Chicca, Tetra Tech, Inc.
Chris Davis, City of Norwalk
Paul Polizotto, Adopt a Stormdrain
Charles Moore, Algalita Marine
Research Foundation

John Hall, Total Site Maintenance
John Harris, Richards, Watson & Gershon

Peter Gutierrez, County of Los Angeles
Brian Mc Clue, City of La Mirada

California Environmental Protection Agency



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Richard Watson, Richard Watson & Associates
Tom Leary, City of Long Beach
Tyler Sparks, M & M Engineers
Rob Reid, Southern California Edison
Julissa Lose', City of Long Beach
Heather Trim, LASGR Watershed Council
Dorothy Green, L.A.SGR Watershed Council
John Kelo, CNC Engineering
Lewis Mc Adams, Friend of the Los Angeles River
Sarina Morales-Choate, City of Santa Fe Springs
Louis Celna, City of Monrovia
Ken Rukariria, City of Rosemead
John Hunter, John Hunter & Associates
Karen Goldwasser, Glendale Public Works
Wendell Johnson, City of Torrance
Don May, Los Cerritos Wetlands Task Force
Jessie Lizanga, Alto Engineering
Carrie Bluth, California Coastal Commission
Jill Fosselman, City of Santa Clarita
Bonnie Foote, Citizen

Paul Tantet, Bio Solutions, Inc.
Mas Dojiri, City of Los Angeles
Kym O'Leary, City of San Dimas
Le Anne Hamilton, City of Arcadia
Mike Wanu, USEPA
Don Wolfe, L.A. County DPW
J. Michael Huls, City of Diamond Bar
Chris Garner, City of Long Beach
Shirley Pak, CALTRANS
Steve Castellanos, City of La Canada
Joan Greenwood, Targhee, Inc.
Heather Merenda, City of Calabasas
Greg Newmark, Cal AG
Carlos Santos, Glendale Public Works
Ray Tahir, TECS Environmental
Terri Grant, L.A. County DPW
Tony Martry, Alto Engineering
Bonnie Teaford, City of Burbank
Daiman Rice, Long Beach Chamber of
Commerce

Pledge of Allegiance.

1. Roll Call

A roll call was taken.

2. Order of Agenda.

The Executive Officer, Dennis Dickerson recommended the following changes to the Agenda.

- *Item 7.1 (City of Avalon) removed.*
- *Item 8.1 (Gills Onions) removed.*
- *Item 8.4 (Ventura Farms) removed.*
- *Item 8.5 (Air Products and Chemicals, Inc.) removed.*
- *Item 8.6 (United Foods Inc.) removed.*
- *Item 10 (General Waste Discharge Requirements) removed.*
- *Item 11, to be heard before Item 9.*

MOTION: By Ms. Cloke, seconded by Mr. Shaheen.

3. Approval of Regular Meeting Minutes of December 7, 2000.

MOTION: By Mr. Pak, seconded by Mr. Shaheen, and approved on a voice vote.

4. Designation of representatives for extra committees.

- *Chairman Nahai will continue to serve on the Santa Monica Bay Council.*
- *Susan Cloke volunteered to serve as liaison for the Wetlands Group.*



- Vice Chair, Francine Diamond will continue to serve as liaison for the San Gabriel Watershed.

5. Board Ex Parte Communication Disclosure.

Larry Kosmont reported that he had received a phone call from Mr. Olivedo, on behalf of one of the dischargers.

6. Public Forum.

Steve Fleischli, Santa Monica Baykeeper, addressed the Glendale/Tillman Plant issue. He requested the Board appeal the decision. He also mentioned the Tapia decision that will be heard by the State Water Resources Control Board on January 31, 2001.

7. Consent Calendar.

There was a motion to adopt the consent calendar as 8.2, 8.3, 8.7 through 8.18 and 12.

MOTION: By Ms. Cloke, seconded by Ms. Diamond, and approved on a voice vote.

OTHER BUSINESS

11. Consideration of a Resolution to establish the Water Quality Awards Program to recognize outstanding community efforts to protect and improve the Region's water resources.

MOTION: By Chairman Nahai, seconded by Ms. Diamond, and approved on a voice vote.

Board Member Miller arrived at 9:40 a.m.

BASIN PLANNING/TMDL

9. Consideration of a Proposed Resolution amending the Water Quality Control Plan (Basin Plan) to incorporate a Total Maximum Daily Load for Trash in the Los Angeles River Watershed.

Dennis Dickerson, Executive Officer began the presentation by stating that a major effort is underway to revitalize the Los Angeles River, and green waste is a significant problem in the L.A. River, but is not considered litter. He stated that trash is prohibited by our Basin Plan, and litter is prohibited by the L.A. Municipal Code, and quoted the possible amounts for fines that can be imposed for littering, under the California Penal Code. He informed the Board that Los Angeles County installed a fence to prevent trash flow to our waters, but the fence does not prevent all of the trash from getting through. Mr. Dickerson mentioned the reasons he believe that "zero trash" is appropriate. He stated that trash can be almost entirely eliminated by changing behavior, i.e. education, incentives, and discentives (litter tickets).

Jonathan Bishop, Regional Board staff gave the Board the technical aspects of the Total Maximum Daily Load (TMDL), and defined a TMDL. Mr. Bishop walked the Board through the Trash Reduction Schedule (for 5 years), and presented a range of proposed cost estimates necessary to implement a TMDL. Mr. Bishop summarized the comments that were received, and stated that a large number of the comments of support were received from the environmental agencies ; a large number of comments of oppositions were received from the cities. He informed



the Board that staff consulted with EPA after reviewing all of the comments and together, they determined that this TMDL is in compliance with State and Federal Legislation.

*Jorge Leon, Staff Counsel, informed the Board that additional comments were received **after** the deadline, and were also placed in the record. Mr. Leon went over a series of exhibits included into the record, i.e. photographs, articles from various news papers.*

Chairman Nahai had several questions for staff on baseline monitoring, and the basis for it, and asked for clarification of the meaning "zero" as pertaining to the TMDL.

Jonathan Bishop replied to Chairman Nahai's questions.

David Smith, USEPA, stated the EPA is in full support of the TMDL, and the TMDL is consistent with the Clean Water Act, it's regulations, and EPA guidance. He commended Board staff for taking on this difficult challenge. He recommended the Board adopt the proposed Resolution today.

Chairman Nahai asked Mr. Smith if EPA supports having a re-opener for "zero" trash in the TMDL.

Mr. Smith replied, "yes, EPA supports the re-opener".

Larry Kosmont asked if the City of Long Beach had met with any of the opposing cities regarding TMDL development.

Rose Collins, City of Long Beach, responded. She stated that the City is looking into ways that TMDL development can be implemented, without incurring a high level of costs, but it must be done.

Carrie Bluth, California Coastal Commission mentioned the devastating impacts on wildlife, and supports staff recommendation.

Don May, California Earth Corps, expressed his support of staff recommendation.

Juan Gonzalez, Los Angeles Area Chamber of Commerce, stated that he supports not having trash, but believes a scientific and economically feasible way needs to be sought. Mr. Gonzalez does not support staff recommendation.

Jill Fosselman, City of Santa Clarita that she is in supportive of no trash, but has concerns. She would like to work with Caltrans on solutions to come up with a program, because the small block of land included in this TMDL is 0.06 square miles of open space, and she believes it should be omitted from this TMDL, and allowed to have a partnership with Caltrans.

Rufus Young, Attorney City of Santa Clarita, requested that the City will be allowed to meet with the Executive Officer and come up with a solution.

Dennis Dickerson, Executive Officer offered to facilitate a meeting with Caltrans, and the City of Santa Clarita that would resolve their issues of concern.

Paul Polizzotto, Adopt-A-Storm drain, offered information to a program he has developed that assists with funding for this type of effort.



Joan Greenwood, representing the Wrigley Association, gave testimony to the Board. She commended staff for taking scientific analysis to a level that she can appreciate. She mentioned that the river waves push styrofoams and other trash into her neighborhood, and this decreases the value of their homes. She supports staff recommendation.

Desi Alvarez, City of Downey, stated that there is no scientific criteria to support what is being implemented. He believes the RWQCB has failed to recognize all litter sources, and is placing burdens on municipalities and Caltrans. He believes this TMDL should include all sources of trash, both point and non-point. He believes that there should be a goal of zero, rather than a limit of zero.

Dr. Mas Dojiri, City of Los Angeles, submitted comments from the earlier version of the TMDL, and stated that the comments still apply. Mr. Dojiri does not believe the TMDL process is appropriate for trash reduction in the Los Angeles River. He summarized the City Council's Resolution passed on December 15, 2000. He stated that the proposed TMDL is based on poor science, and does not follow EPA guidance. He also does not believe that the TMDL adequately address economic feasibility.

Don Wolfe, Los Angeles County DPW, supports the "zero limit" with the re-opener clause.

Richard Montevideo, Rutan & Tucker, and attorney for various Los Angeles Cities, requested that the hearing be continued thirty to sixty days minimum for time allowed to review public comments. He expresses opposition to the TMDL due to the numeric limits, and stated it's become a legal mandate that is being imposed, and the Cities will become responsible for all the legal citizens and visitors. He stated that he does not believe the TMDL for the L.A. River watershed is a valid program due to lack of planning, lack of data, and process. Mr. Montevideo does not believe a TMDL should be established for trash.

John Harris, Richards, Watson & Gershon, attorney representing various Cities, asked the Board to reconsider this TMDL. He stated that the Board has an obligation to make sure that other state agencies, entities, and Federal Agencies should participate in assisting with funding to help with this problem.

Captain Angus Alexander, Los Angeles County Fire Department stated that "zero trash" should be a goal, but not a limit. He does not believe it is possible to have "zero limit" for trash.

Mark Gold, Heal the Bay, supports the TMDL. Mr. Gold asked the Board to add municipal transportation land use as a study, on Page 22 of the proposed TMDL. He expressed his concerns on Page 29, regarding daily generation rate, and believes that this should be clarified.

Alex Helperin, NRDC, addressed legal issues in the TMDL limits. Mr. Helperin supports staff recommendation.

Steve Fleischli, Santa Monica Baykeeper, commended staff on their efforts. He opposes the re-opener in the TMDL, and would like the Board to set a "zero" limit today.

Melanie Winter, Friends of the Los Angeles River, addressed the beneficial uses of our rivers, and support the zero limit for trash.

There were others who gave testimony in support of this matter:

Dan Baker, Vice Mayor, City of Long Beach



*Daiman Rice, Long Beach Chamber of Commerce
Robert W. Cole, City of Long Beach Water Commission
Cheryl Bricker, Heal the Bay
Travis Montgomery, The Queen Mary
Jacqueline Lambrichts, Friends of the San Gabriel River
Leslie Mintz, Heal the Bay
Suzanne Doup Mackey, Resident
Bonnie Foote, Resident
Rob Hoover, Heal the Bay
Joy Robinson, Resident
Alix Gerosa, Heal the Bay
Tony Pelicci, Resident
Andrea Sholer, Resident
John Treanor, Resident
Andrew Willis, Resident
Zhetonia Piluso, Friends of the L.A. River
Conner Everts, Southern California Watershed Alliance
Warren Ihoff, Aquarium of the Pacific
Yvonne Gravel, Council Member, Frank Colonna's Office
Lewis Mc Adams, Friends of the Los Angeles River
Mary Angle, San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy
Charles Moore, Algalita Marine Research Foundation*

There were others who gave testimony in opposition to this matter:

*Heather Merenda, City of Calabasas Public Works
John Hunter, City of Arcadia
Mark Smith, Charles Abbott Associates
Judy Wilson, City of Los Angeles
Larry Forester, City of Signal Hill
Ray Tahir, TECS Environmental*

There was much discussion between the Board members and staff. In summation of this matter, each Board Member made a statement regarding his overview of this matter.

There was a motion by Chairman Nahai, to adopt the staff recommendation with the following changes:

- *Page 18, Paragraph 2, change sentence to read: "The Regional Board will review the final Waste Load Allocations once a reduction of 50% has been achieved or Year 7 of the Implementation Plan (i.e., half-way through the Implementation Plan)".*
- *Also, delete the last sentence of the paragraph.*
- *Upon completion of the baseline monitoring, staff shall report to the Board, the results of the baseline monitoring.*
- *Delete the "s" at the end of levels*
- *At the end of the section for Land Use Areas to be Monitored, Section A, add the words "municipal transportation"*

MOTION: By Chairman Nahai, seconded by Timothy Shaheen, and approved on a voice vote.

INFORMATION ITEMS

California Environmental Protection Agency



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

**The Information Items were postponed to a future meeting.*

24. Adjournment of Current Meeting.

The meeting adjourned at 7:40 p.m. The next regular meeting is scheduled for February 22, 2001, at the Richard H. Chambers, U.S. Court of Appeals, located at 125 S. Grand Avenue, in Pasadena, at 9:00 a.m.

Minutes adopted at the _____ Regular Board meeting
submitted/amended.

Written and submitted by: _____.

